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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 2249 OF 2001.

PETITIONER

:

Smt. Chameliya Bai, W/o
Shri Sadan Singh,
aged about 27 years,
Occupation-Sarpanch,
Gram Panchayat, Naror,
Block Marwahi, District
Bilaspur, (C.G.).

V E R S U S

RESPONDENTS

:

1. State of Chhattisgarh,
Through : The Secretary,
Panchayat Avam Gramin
Vikas Vibhag, D.K.S. Bhawan
Raipur, (C.G.).
2. The Additional Collector,
Pendra Road, District
Bilaspur, (C.G.).
3. The Prescribed Authority
Sub Divisional Officer,
(Revenue), Tahsil Pendra-
Road, District Bilaspur,
(C.G.).
4. Gram Panchayat, Naror,
Through : The Secretary,
Block Marwahi, District
Bilaspur, (C.G.).



P.R. No. 2242/01
Presented by Shri. Abid Ali
dated 18/10/01

RECEIVED COPY,
18/10/01
GIVEN TO A.G. RAIPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION
OF INDIA FOR ISSUE AN APPROPRIATE WRIT IN THE NATURE OF
MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE
NATURE ETC.

आदेश पत्रक

मामला क्रमांक

WP No. 2249/ सन 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	03-03-2003. Shri Rajesh Pandey, counsel for the petitioner. Shri Sanjay K Agarwal, Dy. Adv. General for the State. Shri Ravish Verma, counsel for the respondent No.4. When this petition was ^{heard on the previous date} ~~filed~~ learned counsel for the petitioner had submitted that there has been manipulation not only in the order sheet also in the order dated 26-9-2001. Accordingly, record was sent for and from a bare perusal of the order sheet dated 26-9-2001 and the subsequent order sheet, it is clear that these have been manipulated. The said order sheet indicates that the order sheet after deletion and interpolation of some words therein has the effect of making the first part of the order contradictory. A perusal thereof also makes it clear that the date of hearing was initially fixed to 29-10-2001 but that by way of overwriting has been changed to 03-10-2001, the date on which the order of dismissal was passed. The grievance of the writ petitioner is that when interpolation was pointed out the learned Presiding Officer disposed of the matter on merits without having heard the petitioner. From a perusal of record it appears that the matter has not been fairly dealt with by the Presiding Officer and this is clear from the interpolation in the order sheet and the manner in which the petition was disposed of by not passing a reasoned order, therefore, the order cannot be sustained. Accordingly, it is set aside and the matter is remanded to the Additional Collector, Pendra Road, for hearing and disposal in	

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आदेश पत्रक

मामला क्रमांक W.P. 2249/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	accordance with law and after giving due and proper opportunity of hearing to the parties. It is further directed that interim protection granted to the petitioner by this Court on 11-07-2002 shall continue till the disposal of the matter by the Additional Collector. Since Gram Panchayat is also represented, it is directed that the petitioner in person or through his counsel as also the respondent No.4 shall appear before the Additional Collector, Pendra Road on 28/03/2003 on which date the Additional Collector shall fix a date of hearing and proceed to dispose of the matter on its own merit within a period of three months thereafter. With the above observations and direction this petition stands disposed of. Consequently I.A. No.4785/2001 and M.W.P. No.655/2002 also stand disposed of. Certified copy as per Rules.	Sd/- P.C.Naik Judge

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